

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PENNSYLVANIA STATE CONFERENCE
OF THE NAACP, *et al.*,

Plaintiffs,

v.

AL SCHMIDT, in his official capacity as
Acting Secretary of the Commonwealth,
et al.,

Defendants.

Case No. 1:22-cv-00339-SPB

JOINDER

Defendant Washington County Board of Elections (“Board”), by and through its undersigned counsel, hereby joins in the Memorandum in Opposition to Plaintiffs’ Motion for Leave to Amend, filed at ECF No. 391 by Intervenor-Defendants.

For the reasons set forth therein, including but not limited to the undue delay of Plaintiffs and the resultant prejudice to Washington County, Plaintiffs should not be permitted to again amend their Complaint at this late date. The claim which Plaintiffs seeks to add was one which was known to them at least eighteen months ago, and there was no reason for their failure to proceed with advancing such a claim. See *In re Adams Golf, Inc. Sec. Litig.*, 381 F.3d 267, 280 (3d Cir. 2004) (the concept of “undue delay” includes consideration of whether new information came to light or was available earlier to the moving party). Such an unreasonable delay cannot be

supported, and should not be rewarded by permitting Plaintiffs to amend after discovery has already closed, and summary judgment motions are due to be filed.

Dated: May 24, 2024

Respectfully submitted,
SWEAT LAW OFFICES

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